App. F. IX-4

1928-29 (C. S.) File No. 4-28

Previous References
Ec. C. 44-20 - (35, 36, 67-69, 71, 73-76, 78, 81-84, 86, 87, 89-102)
C. S. 113-24 - (1-8)
" 124-27 - (1-4)

Serial Nos. 1-4

Later References
C. 34-28 (S. 6)

p.20(E)

General and Revenue Secretariat.

Serial Nos. Four

Part B for September 1928

SUBJECT

Recovery of dues from Mr. Lala Sab of Hemali, Nanjarabad Taluk, to the late Sakleshpur Agricultural Bank.

BRSmurthy
30/9/28

G. R. S. APP F.III—1] 192 9-29

GENERAL AND REVENUE SECRETARIAT.

(Dev)

NOTES. G.S. File No. 4-28

FILE HEADING.

Recovery of dues from Dr Nos
Kalasab of Honnali, Manjarabad Taluk
to the late Sakaleshpur Agri. Bank.

FROM

No.	Dated	Received

Diary No.	Enclos.	Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

84 363

2

General and Revenue Secretariat. | C.S. File No. 4 of 1928.

Serial No.	
1	Letter No A3 C 781-24 dated 2/7/28 from the Deputy Commissioner Hassan District forwarding a report on the sale held on 27th & 28th Feb 28 in connection with the recovery of Agricultural Bank dues from Mr. Lalasab of Hennali village. Manjarabad Tq.
2	Letter No Pet 1615/27-28 dated 7th July 1928 from the Revenue Commissioner in Mysore stating that he had called for a report on the petition presented by Abdul Wahab another and also stating that the matter is one which had to be disposed of by his office in the first instance.
1	Secretary's orders on the PUD "References"
2	Dated N.R 12/7/28 Dated V.V.A 12/7/28
	The previous references are placed below for perusal.
	(1) E.C. 44-20 (Pl 35,36 etc)
	(2) C.S. 124-27 Pl 1-4.
3	Said references is invited to the Office note summarising the correspondence and the facts referred to in the previous file Ee 44-20. The D.C Hassan has stated that the lands of in 20 S.Nos have been bid for Rs 3831/- at the sales held on 27th & 28th Feb 28.

Flag C

C.S. File No 124-27

Refer PUD

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

89/363

3

General and Revenue Secretariat. 68 File No. 4 of 1928.

Serial No.

and that a sum of Rs 1800/- has been offered as a bid for S. No 66 of Halasulige village. (Para 3 of the PUD).

4 After explaining the facts of the case the petitions presented by the sons of the late Hemmadi Lalasab the D.C. recommends that all the lands except No 66 of Halasulige village may be restored to the debtors sons on payment of of the bid of Rs 2331/- and the land revenue arrears due thereon upto the end of 1927-28. and suggests that No 66 of Halasulige village may be resold with Rs 1800/- as the first bid.

5 But the Revenue Commissioner states in his letter dated 7/11-7-28 that the matter is one which had to be ~~dealt with~~ disposed of by this office in the first instance

6 The cases of the late Messrs Gundekar Srikantaiah and M. N. Babbiah, both indebted members of the late Agricultural Bank at Sakleshpur, has been dealt with by Govt and orders were passed on the reports sent by the D.C

Submitted for orders.

bs. 113-24 sl 1-D placed below

NOTE—Contn. Sheet.

SD 7/8/28

For a note please see next page

MD 7/8

WD 0714—GPB—30,000—18-4-28

App. F. III—2]

General and Revenue Secretariat. G. 9 File No. 4 of 192 8-29

Serial No.

7 These papers relate to the procedure adopted by the Revenue Authorities for the recovery of the amounts due from Mr. Lala Sab of Hennali, Manjarabad Taluk towards the Agricultural Bank loan as well as land revenue arrears.

...

8 The history of the case and the summary of the previous correspondence so far is contained in paras 3 to 25 of C.S. file 124-27 placed below.

Flag G.

9 In accordance with the instructions issued by Government in their letter dated 14th March 1927 the several items of the properties belonging to the defaulter were sold in February last and the Deputy Commissioner has now sent a report showing the results of the sale and submitting his own recommendations in the matter. The original sale records sent by the Deputy Commissioner are also placed below for purposes of reference.

Flag Q

10 Mr. Lala Sab was one of a number of defaulters who owed monies to the now defunct Agricultural Bank of Sakalespur. At the time the Agricultural Bank was wound up, his liabilities to the Bank were about Rs. 48,000. In G.O. dated 25th April 1924 waiving as a special case the interest on the amounts due towards the Agricultural Bank dues, fixing the liability of the several defaulters of the Agl Bank of Sakalespur and Chickmagalur and giving the indebted members

Flag P.

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

Serial No.

time to pay up the balance due within a period of six months, the liability of this defaulter was fixed at Rs. 36,638-14-0. Subsequent to the issue of the G.O., the defaulter has not paid anything. The lands were repeatedly brought to sale; and every time the sale has been cancelled either for low bids, for illegality of the sale or irregularity of the proceedings or the receipt of ~~offers~~ tenders for amounts much higher than those realised in the regular sales. For one reason or another, the proceedings have been infructuous from the beginning. The properties continue to be enjoyed by the defaulter and his heirs and relatives. (11) In the sales now held by the Sub-Division Officer, Sakalespur, 20 survey numbers estimated at Rs. 5520 have been sold for Rs. 3831 and another 15 survey numbers of the estimated value of Rs.4255 have fetched no bids at all. Out of the lands for which bids have been received, survey No. 66 of Halsulge village has fetched a bid of Rs. 1500 but one Isidore Kulaso has offered a sum of Rs. 1800 for it. Both the Sub-Division Officer and the Deputy Commissioner recommend that this land may be resold with Rs. 1800 as the first bid. They also recommend that a house about 20 ankanams in area situated on survey No. 109 of Hennali village (for which no bid has been received) may be left to the defaulter for residential purposes, as a matter of grace. In regard to the other

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat. 26 S. File No. 4 of 1928.—29

Serial No.

lands, however, there is no difference of opinion.

12 The Sub-Division Officer recommends that the sales may be confirmed of such lands as have secured bids and that the other lands for which no bids have been received, may be finally resumed to Government and disposed of under the ordinary Dharkast rules just as other unoccupied lands. He adds that if the defaulter or his relatives have any idea of retaining any portion of the property they might apply for these lands and obtain them under the ordinary Dharkast rules.

13 The Deputy Commissioner recommends, however, that certain lands in the villages of Hennali, Ganadahole and Dabbegadde may be left in the possession of Messrs: Mahomed Inmail and Abdul Whab, sons of the defaulter, on condition (suggested in their representation) that they pay a sum of Rs. 1015 being the amount of bid received for these lands as well as well as land revenue arrears accruing on them. The lands which the sons of the defaulter have requested to be left in their possession are shown respectively in (Flags B, C and O in the file of original records).

which have been to, the lands which have received no bids, and the lands

14 Para 6 of the Deputy Commissioner's report contains the grounds on which he has based his recommendations and para 7 contains his recommendations in regard to this case.

15 It is somewhat difficult to see that there is

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-29

Serial No.

any justification for cancelling the sale of lands which have secured fair bids or to allow the defaulter's sons to pick certain lands and to leave those lands in their possession, recovering from them merely ~~from~~ the bid amount realised in the sale plus the land revenue arrear thereon. It does not appear that they have made any earnest attempt to pay up the Government dues. ~~and~~ It is true that Mr. Lala Sab along with other indebted members of the Agricultura Banks derived no benefit from the loans that they drew from the Banks, and that their ~~estimates.~~ estates deteriorated owing to causes beyond their control. The amount realised now in the bids is fair, considering that 15 of the survey numbers did not secure any bids at all. Reference may be invited in this connection to para 3 of the Deputy Commissioner's report wherein he refers to a request of Mr. M.C.Mallappa who was very keen on purchasing these lands and who offered a bid of Rs12,000 for it, about two years ago. Two days before the date of the sale, he is said to have applied to the Deputy Commissioner to postpone the date of the sale if possible for reasons stated in his application or to give him an opportunity of submitting a tender before the submission of the records to Government. As observed by the Deputy Commissioner nothing prevented this gentleman from deputing an agent on his behalf to bid for the property on the appointed date.

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat. G. S. File No. 4 of 192 8-29

Serial No.

16 But in regard to the permission that he requested to offer a tender. It does seem to have been quite appropriate to refuse to take cognisance of the request, on the ground that the party failed to submit his tender about two years ago for the same property when he was requested to do so.

17 On the whole, the recommendation of the Sub Division Officer (reference para 5 of the Dy Com's report) -- appears to be quite equitable.

18 With reference to the Revenue Commissioner's observation in this connection, that this was a matter which should have been dealt with properly by his Office, it is respectfully submitted that all Agricultural Bank files have been dealt with directly by Government in the previous cases. There is no objection however, to consult the Revenue Commissioner if considered necessary before Government pass final orders on the

19 The Chief Secretary may be consulted.

20 Submitted for orders with previous references.

Sec'y DJ

1/9/28.

3/9

21 The sale has been held for arrears of land revenue also - and it is by this fact that it will lose the important incident of freedom from encumbrance. ?

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

363

(9

App. F. III—2]

General and Revenue Secretariat. C. S. File No. 4 of 1928.—29

Serial No.

Am in favour of sending the case to the Rev. Comr for disposal in the first instance.

W.R.
3 9 28

3rd Member
Through Ch. Secy

W.R.
3/9/28

CHIEF SECRETARY
4 SEP. 1928
9660/619

22
I agree with the above Rev
6/9.

23
Laprell
7.9.28

W.R.
6/9

24 Returned.
Draft as per orders above put up for approval

S.R.
7.9.28

W.R.
7.9.28

25
Issue

W.R.
8/9

3 To
The Revenue Commissioner at Mysore
No. D. 2951 dt 8th Sept 1928
Refers the case with the connected records for favour of disposal by him in the first instance & requests acknowledgment

For A.

GEN. & REV. SECRETARIAT
13 SEP. 1928
DEVELOPMENT BRANCH

Note—Contn. Sheet.

W.P. 01114—GFD—50,000—15-3-28

2566

10

App. F. III—21

General and Revenue Secretariat. G. S. File No. 4 of 1928.-29.

Serial No.	
4	From The Rev. Commr in Mysore No Pct. 1615/27-28, dd 22.9.28 Acknowledge receipt of the vernacular papers forwarded with dd 2 2b The file may now be received S.O. 25.9.28 Yes UO 27/9/28

Rec'd

H. & REV. SECT. DEPARTMENT BRANCH

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

Ag. C 481-24

GEN. & REV. SECRETARIAT
4 JULY 1928
DEVELOPMENT BRANCH

OFFICE OF THE DEPUTY COMMISSIONER,
HASSAN DISTRICT.

Dated Hassan, the 2nd July 1928.

FROM

Abdul Majid, ESQUIRE, B.A.,
DEPUTY COMMISSIONER, HASSAN DISTRICT

G. S. 4-28-1

To

M. Rama Rao, ESQUIRE, B.A., B.L.,
Development
~~CHIEF~~ SECRETARY TO THE GOVERNMENT OF
H. H. THE MAHARAJA OF MYSORE, BANGALORE.

SIR,

Subject: Recovery of the Agricultural Bank dues from Mr. Kala Sab of Hennali village in the Sriranabad Taluk.

With reference to the correspondence ending with your letter No. D.7304/E.C.181-80-1&3 dated the 14th March 1927, regarding the disposal of the lands belonging to the indebted member Mr. Hennali Kala Sab, for the recovery of a sum of Rs.50,60-14-0 being the balance of the loan amount due from him to the late Agricultural Bank at Bakleapur, I have the honour to state that all the lands offered as security for the loan, situated in Hennali, Ganada Hole, Babbegadde, Belagodu, Mallanamane and Malasuruge villages in the Manjarabad Taluk, were personally inspected by the Amildar for ascertaining the value thereof and also of the buildings therein and the total value of all the properties including the buildings was estimated at Rs.1077/-. As there were land revenue arrears on all the lands except Sy. No. 7 of Ganadahole village amounting to Rs.75-0-0 up to end of 1926-27, they were forfeited and their sale as also the sale of the right, title and interest of the debtor in Sy. No. 7 referred to above was fixed to the 27th February last to be held by the Deputy Commissioner. After wide publication of the sale notification in the Gazette as well as in all the villages of the taluk and also in the

the neighbouring taluks, the Sub Division Officer, Haleban Sub Division who was authorised to hold the sale as the Dept. Commissioner had to go to Bangalore in connection with the Economic Conference meeting on the sale date and also a meeting of officers held on the 28th February 1928, conducted the sale on the 27th and 28th February 1928 and the result was that a total bid of Rs.3831/- in respect of only 20 S.Nos as noted in the margin and also as per details given in the statement

Name of village	S.No.	Estimated value.	Bid Amount.
1. Halasulige		Rs.150/-	1500/-
2. Kabbegadde	63/2	Rs. 70/-	70/-
3. Belagodu	129,130 & 130	Rs. 940/-	350/-
4. Ganadahole	34, 35 & 1	Rs. 160/-	30/-
5. Hankanamane	39,40 & 48	Rs. 1145/-	960/-
6. Hennali	100,101,131,149, 150/1,97, 142/2, 166, and 140/2.	1850/-	825/-
	Total	Rs.5560/-	Rs.3831/-

Vide Copy B

enclosed on page 272 of the file, was secured as against estimated value of Rs.150/- and no bids were secured in regard to the remaining 15 S.Nos as per details given in the enclosed list filed on page 272 of the file, the estimated value thereof being Rs.4685/-. Except S.No. 39 and 40 of Hankanamane village which were sold in one lot at the desire of Mr. B.H.Loung who has bid for these lands, all the other lands were sold individually.

Copy C

2. In the sale list drawn up, it is stated that the current year's Kandayam due on the lands is also included in the amount due to Government and also a sum of Rs.200/- nearly has to be adjusted towards the Kandayam from out of the realisations. As there remains only a balance of Rs.1631/- available for adjustment towards the loan account.

3. One Thimmaiah, a writer in the Attehalli Sub Division in the Tumkur Taluk has put in a petition dated the 28th March 1928, offering Rs.1800/- in respect of S.No. 61 of Halasulige village which was fetched Rs.1500/- in the sale. Mr. A.C. Mallappa who has all along been on purchasing

put in an application to this office on the 26th February last just two days before the date of sale stating that he could not attend the sale on the 7th February 19 on account of his wife's ceremony, the sale might be postponed to some other date or at least he might be permitted to submit a tender before submission of the records to Government. If he really wanted to bid for the properties he could have arranged for it through a xxxxx proper agent. However his petition was sent to the Sub Division Officer for needful action. When tenders were called for in pursuance of the directions contained in your letter No. R.C.Sec/L.C.14-35-4 dated the 10th August 1936 he had failed to submit his tender. In these circumstances, no cognisance could be taken of his petition nor could the sale be postponed just to suit his individual convenience.

4. The sons of Mr. Hennali Lala Sab, the indebted member of the Bank, viz., M.Abdul Wahab and M.Mahammad Ismail, have put in application both to this office and to the Dewan praying that the lands at Hennali, Ganadahole and Dabbegadde villages for which a total bid of Rs.1015/- has now been secured, may be restored to them after recovering from them the same amount of xxxx Rs.1015/- plus the kandayam due on those lands as otherwise they would become xxxxx destitute since all their lands have been sold away, and that the house situated in S.No.109 of Hennali village for which no bid has been secured, might be allowed for the residence of the family as a sort of concession just as similar concessions were shown in the case of Messrs Subbiah and Sundaresa Sreekantiah the indebted members of the Bank. They have put in a similar petition to the Revenue Commissioner in Mysore, who has called for a report regarding their prayer, with the information as to the concessions shown in other cases. Another application reserted to the Sub Division Officer by one M.M.Ismail on the 26th April 19 stating that the lands at Ganadahole Hennali and Dabbegadde villages for which bids have been secured as well as those for which bids have been rejected might be allowed to be retained by them after recovering from them the bid amount and Sale C

compensation thereon together with the land revenue arrears in respect of the former class of lands and at Rs.10 per acre of coffee lands and Rs.20 per acre of wet lands in respect of the latter class of lands.

5. The Sub Divisional Officer has also personally inspected the lands and reported that the lands are in a neglected condition there being jungle growth in most of the coffee land. He is of opinion that if the defaulter or his sons are agreeable to pay a lumpsum of not less than Rs.10000/- for all the properties they may be permitted to retain them; otherwise ~~their~~ may be their offers off and on, need not be considered at all. He states, that they could have bid for the properties at the sale, that they did not do so though present at the sale and persuaded to bid, and that if the present sale is cancelled merely at the request of the petitioners there will be no incentive for the purchasers to bid for these lands once again. In case that the debtor is not prepared to pay a sum of Rs.10000/- as suggested by him, he recommends that the sale of all the lands except Nos. of Malasalige village for which an offer of Rs.1350/- has been made by one Isidore Rulaso of Kotkalli estate, may be confirmed, fair bids have been secured, and that the lands for which bids have been secured may be resumed to Government and disposed of subsequently under the darkast rules. As regards Survey No. 56 of Malasalige village, he states that it may be resold with Rs.100 as the first bid. Regarding the prayer of the debtor's sons, he states that Rs.100 of Nemmali village, on which their dwelling house stands and for which no bid has been secured, may be left to them. He has no suited the petitioners and recorded their statement as to they had to say in the matter.

6. From a perusal of the records, it is seen that it is for the 5th time that the lands have now been sold and that the prices realised in respect of the 30 Survey Nos. appear to be quite fair when compared with the realisations for all the lands in the previous sales which never went up beyond Rs.4600/- in any of

of the sales. This is further a hard case. The prayer of the debtor's sons deserves sympathetic consideration other wise the family would be utterly ruined and would become destitute if they were deprived of all their lands. The debtor and his sons were therefore summoned to appear before to give their statements regarding their offer. Chandu Isaac sons Mr. Lala Sab appeared before me on the 28th June 1928 and the statement given by him is herein enclosed. He states that all the lands except the lands at Malasuligie village which has been sold for Rs.1500 may be restored to them after reserving from them a sum of Rs.661/- which is the bid amount now secured plus the land revenue arrears due thereon up to end of 27-28. The land revenue arrears will amount to Rs.175/- nearly. Thus he will have paid Rs.861/-. This plus the bid amount of 15 of Malasuligie lands will work up to Rs.5581/- which amount was never secured in any of the previous sales held so far. The lands are stated to be in utterly a bad condition owing to the continued neglect and to save heavy outlay it required to bring the lands into proper condition this seems to be the best arrangement as Rs.5581 more than Rs.5561 will have been realised. In the case of the late Mr. Sundekere Sreekanti an indebted member of this family properties worth nearly Rs.4000/- were allowed for the family maintenances and in the case of Mr. Subbiah another member of the family, a sum of Rs.7000/- was left for the family residence. No such concession has been shown in the case of this member.

7. After a careful consideration of all the circumstances, of the case, I am inclined to think that the petitioners (debtor's sons) deserve sympathetic treatment at the hands of Government. I therefore recommend that all the lands except S.No.66 of Malasuligie village may be restored to the debtor's son on payment of the bid amount of Rs.661/- plus the land revenue arrears due thereon up to end of 27-28 which they are agreeable to pay after receipt of orders from Government. Regarding S.No.66 of Malasuligie village it may be resold with Rs.1000/- as the first bid amount fixed by the Sub Divisional Offic

officer, if the [illegible] who has made this offer or [illegible] to the Treasury within [illegible] days from the date of the service of a notice on him. I have therefore directed the Sub Division Officer to issue a notice to him and report the result. On receipt of his report, I shall submit my further report regarding the sale of [illegible] of Malpuli village for Rs.1800/-.

3. The entire file of correspondence bearing the subject is herewith forwarded for the perusal of Government.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Hassan District.

G. S. Cp - 28 - 2

No. Pet.1615/27-28.

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Refer 11/7/28

Dated Bangalore,.....7th.....July.....192 8.

FROM

11/7 P. G. D'SOUZA, ESQ., B.A., B.L.,
REVENUE COMMISSIONER IN MYSORE.

363

GEN. & REV. SECRETARIAT
353
12 JULY 1928
DEVELOPMENT BRANCH.

To

The Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Development Department, *Bangalore.*

Recovery of the Agricultural Bank dues from Mr. Lala Sab of Hennale, in the Manjarabad Taluk.

SIR,

I have the honour to state that the Deputy Commissioner, Hassan District, has sent me a copy of his letter No.A.3-S.781-24 dated 2nd July 1928 addressed to you in reply to your letter No.D. 7802 780-2/Ec. Cp4-20-102 18 dated 14th March 1927 regarding the disposal of the lands belonging to the indebted member Mr. Hennali Lala Sab for the recovery of the loan amount due to the late Agricultural Bank at Sakalespur. I had also called for a report from the Deputy Commissioner on the petition presented to me by one Abdul Wahab and another.

2. In this connection I may state that the matter is one which had to be disposed of by this office in the first instance.

I have the honour to be,

S i r,

Your most obedient servant

R. Narasimha Ayyangar

Assistant Commissioner,
For Revenue Commissioner.
Absent from the station.

33.

A. P. F. VI. G1]

SUBJECT.....

.....

.....

Section G. S.

File No. 4-28

Serial No. 3

No. 02951/1 file of Vernacular Records

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To The Revenue Commr in Mysore

Date of issue 8/9/28.

Signed by Mr. V. V. Acharya

Sir,

With reference to your letter No. Rem. 1615/27-28, dated the 7th July 1928, Re the disposal of the lands belonging to the indebted member, Mr. Hemraj Lala Lab towards arrear of land revenue and the ~~adjustment of~~ the loan amount due to the Lake Agri. Bank at Lakalerpur,

List of enclosures.....

I am directed to state that Govt agree that ~~I am directed to state that Govt consider that~~ the case is one to be

Copied by .....

Examined by .....

over

be disposed of by you
in the first instance.

2 The Entire free of vernacular
papers received from the
Deputy Commr of the Hassan Dt
with his letter no Ass C. 781—24,
dated the 2nd July 1928
according is herewith forwarded herewith, for favour of
disposal
the receipt of which may
be kindly acknowledged.

WR 9/9

for Secy to Govt
Dev Depts

D. 2952 dated 8/9/28

Copy of the above is
forwarded, with compliments
to the Dt Commr Hassan for
information.

R S

WR 9/9
for Secy to Govt
Dev Depts

No. Pet. 1615/27-28.

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Dated Bangalore, 22nd September *1928*.

FROM

P. G. D'SOUZA, ESQ., B.A., B.L.,
REVENUE COMMISSIONER IN MYSORE.

GEN. & REV. SECRETARIAT
2566
25 SEP. 1928
DEVELOPMENT BRANCH.

To

The Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Development Department, *Bangalore.*

SIR,

I have the honour to acknowledge the receipt of the vernacular file of papers sent with your letter No. D.2951/C.S.4-28-3 dated the 8th September 1928, in the matter of the recovery of the Agricultural Bank dues from one Mr. Lala Sab of Hennale in the Manjarabad taluk.

I have the honour to be,
Sir,
Your most obedient servant,

Assistant Commissioner,
For Revenue Commissioner,
Absent from the station.

K.V.